

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLEOTHA EDWARDS,
Plaintiff,

v.

ROSENLOP,
Defendant.

Case No. 2:23-cv-00071-DJC-JDP (PC)

FINDINGS & RECOMMENDATIONS

On April 7, 2023, I screened plaintiff's complaint and notified him that his claim was not cognizable. ECF No. 8. I granted him thirty days to file an amended complaint or advisement indicating his intent to stand by his current complaint, subject to a recommendation that it be dismissed. Plaintiff did not respond. Accordingly, on June 20, 2023, I ordered him to show cause within twenty-one days why this action should not be dismissed. ECF No. 9. I again warned him that failure to comply with the order would result in a recommendation that this action be dismissed. *Id.* at 2.

The deadline has passed, and plaintiff has not filed an amended complaint or otherwise responded.

Accordingly, it is hereby RECOMMENDED that:

1. This action be dismissed for failure to prosecute and failure to comply with court orders for the reasons set forth in the June 20, 2023 order.

1 2. The Clerk of Court be directed to close the case.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of
4 service of these findings and recommendations, any party may file written objections with the
5 court and serve a copy on all parties. Such document should be captioned “Objections to
6 Magistrate Judge’s Findings and Recommendations.” Any response shall be served and filed
7 within fourteen days of service of the objections. The parties are advised that failure to file
8 objections within the specified time may waive the right to appeal the District Court’s order.
9 *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir.
10 1991).

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12 IT IS SO ORDERED.

13 Dated: August 3, 2023

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15 JEREMY D. PETERSON
16 UNITED STATES MAGISTRATE JUDGE
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